

AGENDA LOCAL OPTION REVIEW TEAM

Tuesday, April 4, 2019 12:00 p.m.

Fremont Municipal Building 400 East Military Avenue Fremont, Nebraska

- 1. Call to Order
- Approval of minutes from February 19, 2019 meeting.
- 3. Review Fund Balance.
- Consider Local Option Economic Development funds for Film Incentive Application submitted by The Red Flame, LLC.
- 5. Adjourn.

This agenda was posted at the Municipal Building and was distributed to the members of the Local Option Review Team on April 1, 2019. The official current copy is available at City Hall, 400 East Military Avenue. A copy of the Open Meeting Law is posted for review by the public.

CITY OF FREMONT LOCAL OPTION REVIEW TEAM FEBRUARY 19, 2019 – 4:00 p.m.

A meeting of the Local Option Review Team was held on February 19, 2019 at 4:00 p.m. in the 2nd Floor Conference Room at 400 East Military Avenue, Fremont, Nebraska. The meeting was preceded by publicized notice in the Fremont Tribune and the agenda displayed in the Municipal Building. The meeting was open to the public. A continually current copy of the agenda was available for public inspection at the office of the City Administrator, 400 East Military Avenue. The agenda was distributed to the Local Option Review Team on February 15, 2019 and posted, along with the supporting documents on the City's website. A copy of the open meeting law is posted continually for public inspection.

ROLL CALL

Roll call showed Members George, Oliva, Jacobus, and Horeis present. Vobejda, Benson, and McClain absent. 4 present, 3 absent. Others in attendance included Lottie Mitchell, City of Fremont; Brian Newton, City Administrator, Charlie Janssen and Jeremy Guenthner, RTG Medical, Inc.; and Jay Kline, White Lotus Group.

APPROVE MINUTES

Moved by Member Oliva and seconded by Member Horeis to approve the minutes of the September 14, 2018 meeting. Motion carried 4-0.

REVIEW FUND BALANCE

Sanders and Mitchell reviewed fund balance. Moved by Member Jacobus and seconded by Member Oliva to receive fund balance. Motion carried 4-0.

CONSIDER LOCAL OPTION ECONOMIC DEVELOPMENT APPLICATION FOR WLG FREMONT, LLC – A LIMITED LIABILITY COMPANY FORMED BY RTG MEDICAL, INC AND DANA PARTNERSHIP, LLP.

Mitchell gave staff report. Janssen, Guenthner and Kline gave overview of project. Discussion was had with committee members and applicant over project. The scoring matrix was completed. Moved by Member Oliva and seconded by Member Horeis to approve the application of WLG Fremont, LLC contingent upon 1) an executed lease agreement of at least five years, 2) a loan guarantee by ReadyTech-Go, Inc. and 3) ReadyTech-Go, Inc. ownership in WLG Fremont, LLC. Motion carried 3-1.

ADJOURNMENT

Moved by Member Jacobus and seconded by Member Oliva to adjourn at 5:07 p.m. Motion carried 4-0.

STAFF REPORT

TO: Local Option Review Team

FROM: Lottie Mitchell, Grant Coordinator

DATE: April 4, 2019

SUBJECT: The Red Flame, LLC Film Incentive Application

Recommendation: Move to recommend to City Council to approve application from The Red Flame, LLC for a Film Incentive Rebate.

Background: The Film Incentive Program is funded through the Local Option Economic Development Fund (LB840) and allows for applicants to receive a rebate based on qualified local expenditures. The Film Incentive Guidelines state that rebates may not exceed thirty percent (30%) of the moneys in LB840 and may not exceed thirty percent (30%) of the qualified local expenditures. Film Incentive Program Grants are calculated and paid once local expenditures have been submitted and verified.

The Red Flame, LLC submitted an application to the Film Incentive Program requesting a rebate in the amount of 30% of local expenditures. Local expenditures have been estimated at \$97,000. The estimated rebate amount is \$29,100. The estimated rebate amount is less than 30% of the moneys available in LB840.

The Red Flame, LLC has met the Film Incentive Rebate program requirements thus far. The requirements include submitting a Film Incentive Application, show proof of funding, provide the anticipated Motion Picture Association of America (MPAA) rating, and provide a copy of the movie script.

The script submitted by The Red Flame, LLC has the potential to receive a Motion Picture Association of America (MPAA) rating of 'R-Restricted'. The Red Flame, LLC may also edit the film to meet 'PG-13' guidelines for certain distribution outlets. The MPAA rating definitions, as provided at https://filmratings.com/RatingsGuide, are below:

R – Restricted. Children Under 17 Require Accompanying Parent or Adult Guardian. - An R-rated motion picture, in the view of the Rating Board, contains some adult material. An R-rated motion picture may include adult themes, adult activity, hard language, intense or persistent violence, sexually-oriented nudity, drug abuse or other elements, so that parents are counseled to take this rating very seriously. Children under 17 are not allowed to attend R-rated motion pictures unaccompanied by a parent or adult guardian. Parents are strongly urged to find out more about R-rated motion pictures in determining their suitability for their children. Generally, it is not appropriate for parents to bring their young children with them to R-rated motion pictures.

PG-13 – Parents Strongly Cautioned. Some Material May Be Inappropriate for Children Under 13. A PG-13 rating is a sterner warning by the Rating Board to parents to determine whether their children under age 13 should view the motion picture, as some material might not be suited for them. A PG-13 motion picture may go beyond the PG rating in theme, violence, nudity, sensuality, language, adult activities or other elements, but does not reach the restricted R category. The theme of the motion picture by itself will not result in a rating greater than PG-13, although depictions of activities related to a mature theme may result in a restricted rating for the motion picture. Any drug use will

initially require at least a PG-13 rating. More than brief nudity will require at least a PG-13 rating, but such nudity in a PG-13 rated motion picture generally will not be sexually oriented. There may be depictions of violence in a PG-13 movie, but generally not both realistic and extreme or persistent violence. A motion picture's single use of one of the harsher sexually-derived words, though only as an expletive, initially requires at least a PG-13 rating. More than one such expletive requires an R rating, as must even one of those words used in a sexual context. The Rating Board nevertheless may rate such a motion picture PG-13 if, based on a special vote by a two-thirds majority, the Raters feel that most American parents would believe that a PG-13 rating is appropriate because of the context or manner in which the words are used or because the use of those words in the motion picture is inconspicuous.

Fiscal Impact:

Local Option Economic Development Fund 30% Rebate ~ \$29,100.00

CITY OF FREMONT, NEBRASKA REQUEST FOR ASSISTANCE

THIS REQUEST, is made on this <u>14th</u> day <u>of March</u> , 20 <u>19</u> , by <u>The Re</u>	ed Flame LLC
, located at1629 Old Glory Rd Lin	ncoln, NE 68521
(hereinafter refe	erred to as the "Applicant") to
the City of Fremont, Nebraska (hereinafter referred to as the "City").	
WITNESSETH:	
WHEREAS, Applicant has requested the City to investigate the feasibil Economic Development Plan Grant in connection with the financing of a project	
NOW, THEREFORE, in consideration of the request the following may be do	one:
1. City agrees to work with the Applicant to investigate the feasibility Local Option Economic Development Plan Grant for the Project. City will invest Applicant and determine whether or not a Local Option Economic Develop appropriate. City will submit the needed paperwork for a Local Option Economic Applicant to the appropriate committees and City Council, if:	stigate the financial condition of ment Plan Grant Application is
a. Applicant and the Project are within the eligibility criteria of the Local Op Plan.	otion Economic Development
2. If the City determines, in its sole discretion, that the Applicant is elig Development Plan Grant, then, and in such event, City will advise and conpreparation by the Applicant for a complete set of Grant documents together purpose of making applications for a Local Option Economic Development Plan the "Grant Package").	nsult with the Applicant in the with supporting exhibits, for the
3. Applicant hereby acknowledges that the Applicant is charged w preparing the Grant Package, and that the City's sole responsibility in connect Grant Package shall be to consult with and advise the Applicant as needed. The that the Applicant will be required to promptly and accurately supply requi Project. Applicant also further covenants and agrees that City shall not be liable fincurred in and for the assistance of benefit of the Applicant. Applicant further a City harmless, and pay all costs and expenses, including attorney's fees, in the lawsuit is filed by or against the City arising out of any transaction with or assist in any way be connected with the Agreement.	tion with the preparation of the Applicant further acknowledges red information concerning the or any of the debts or obligations grees that Applicant will hold the event that any claim is made or
IN WITNESS WHEREOF, the Applicant hereto have executed, caused to be have affixed or caused to be duly affixed hereto there seal, this <u>14th</u> day of <u>M</u>	duly executed this Request, and arch . 20 19.
Applicant	
BY: Ehren Parks - EMRA	



Local Option Economic Development Plan Grant Application (Application is an Official Public Document)

Business Information:		
Name of Business:Th	e Red Flame LLC	
Address: 162	29 Old Glory Rd	
Lincoln	NE	68521
City	State	Zip
Contact Person: Ehren Parks	Phone N	lo402.202.1760
Email: ehrenparks@gmail.co	mCompany website	e:n/a
Phone No. same	FAX No	n/a
Project Title: <u>La Flamme Ro</u>	ougeTo	otal Budget: \$95,000
Business Classification (Mark On	ne): 🗓 Film/Theatrical	☐Film/Documentary
	☐ Television/Series	☐Television/Reality
	□Video/New Media	☐Student Films
	☐ Commercials	□Misc./Other
Federal ID#:83-2624025	(Attach W-9 form)	
State of Incorporation or Format	ion <u>Nebraska</u>	_
Business Type (Mark One):	Proprietorship Corporation	□Partnership 🗔 L.L.C
Does the Company have a Paren	t or Subsidiaries? 🖾 Yes 🗀 No	
If Yes, Identify Name: Lon	g Tale Inc	Panoptic Cinema
Address: 105	E 6th St	1629 Old Glory Rd
	nont, NE 68025	Lincoln, NE 68521
City	State	Zip

	Director: Brent & Derek Maze Phone No. 402.801.2300				
	Email:bmaze2012@gmail.com, derek.m4ze@gmail.com				
	Line Producer: Ehren Parks Phone No. 402.202.1760				
	Email: ehrenparks@gmail.com				
	Accountant: TBD Will Hire Local Phone No				
	Email:				
	Location Manager:Phone NoPhone No				
	Email: mcmahonkp@gmail.com				
	Legal Representation: Mike Echternacht Phone No. 805.895.7684				
	Email: mike@meemlegal.com				
C.	Budget Information: (Fremont Spend of City Taxable Sales Only)				
	Categories: Projected Spend				
	Location Site Fees \$\\ \\$_\ 2,000				
	Production Facilities \$\frac{1,000}{}				
	Construction Facilities/Expenditures \$_0				
	Equipment Rental \$ 15,000				
	Purchases/Rentals \$_15,000				
	Housing/Living Expenses \$ 4,000				
	Other \$_60,000 (production services)				
D.	Schedule Breakdown: (Fremont Schedule Only)				
	Estimated Start: PrePro: April 1st, shoot: Mid-May				
	Prep/Wrap Period (Days/Weeks): 2-3 weeks				
	Shoot Period (Days/Weeks): 3 weeks				
	Project Location: X Within the City Limits of Fremont				
	X Outside of City Limits, but within the Zoning Jurisdiction of Fremont				
	Unincorporated Area (Dodge County)				
Е.	Estimated Production Workforce				
	Total Number of workforce (estimated number of people on the ground in Fremont)				
	13 Total Number of Fremont resident workforce				
	<u>52%.</u> % of Fremont residents included in entire production force				

В.

Personal Information:

 ${\it Complete the attached Financial Statement Form. All Financial Statement information will be kept confidential.}$

I certify that the above information constitutes a total and complete listing of all information for the above company. Pages 1 and 2 of this application are public information and are subject to public disclosure during the application process.

Name: EhrenPaks		Signature:	_
Title:	Producer	Date: 3-14-19	

Return application to: City of Fremont Attn: Grant Coordinator 400 E. Military Fremont, NE 68025